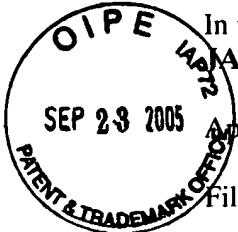


IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of
MAEHNE et al.
Application No.: 10/813,954

Filed: March 31, 2004

Title: **NOVEL DIPHENYLAZETIDINONE WITH
IMPROVED PHYSIOLOGICAL
PROPERTIES, PROCESS FOR ITS
PREPARATION, MEDICAMENTS
COMPRISING THIS COMPOUND,
AND ITS USE**

Examiner: BERCH, Mark L.
Art Unit: 1614

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 21, 2005
Date of Deposit
Brian P. Tchett Brian Pritchett
Signature

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98**

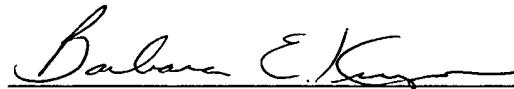
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Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, or before the mailing of a first office action after the filing of a request for continued examination under §1.114 whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. 18-1982.

- (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
- (2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or
- (3) This Information Disclosure Statement is accompanied by a transmittal letter in which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is authorized.

Respectfully submitted,



Barbara E. Kurys, Reg. No., 34,650
Attorney/Agent for Applicant

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Aventis Docket No. DEAV2003/0028 US NP

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/813,954
				Filing Date	03-31-2004
				First Named Inventor	JAEHNE et al.
				Group Art Unit	1614
				Examiner Name	BERCH Mark L.
Sheet	1	of	5	Attorney Docket Number	DEAV2003/0028 - US - NP



INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 5

FOREIGN PATENT DOCUMENTS

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Examiner Initials ¹	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		EP	0 656 354		BARTH, et al.	06-04-1997		
		EP	0462884		VINCENT, et. al.	06-16-1993		
		WO	02/44150		BOKOTEY, et al.	06-06-2002		
		WO	00/34331		DONG, et. al.	06-15-2000		
		WO	00/40569		HODSON, et. al.	07-13-2000		
		WO	00/64876		JAYYOSI, et. al.	11-02-2000		
		WO	00/64888		JAYYOSI, et. al.	11-02-2000		
		WO	00/71549		BROUGH et al	11-30-2000		
		WO	00/78312		SAHOO, et. al.	12-28-2000		
		WO	01/04156		LARSEN, et al.	01-18-2001		

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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				Examiner Name	BERCH Mark L.
Sheet	2	of	5	Attorney Docket Number	DEAV2003/0028 - US - NP

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	01/09111		BRINER, et. al.	02-08-2001		
		WO	01/62266		CARR	08-30-2001		
		WO	01/83451		IKUTA et al	11-08-2001		
		WO	01/85695		LI, et. al.	11-15-2001		
		WO	01/90094		BARF, et. al.	11-29-2001		
		WO	02/50027		GLOMBIK	06-27-2002		
		WO	03/015769		SCHWINK	02-27-2003		
		WO	97/26265		NIELSEN et al	07-24-1997		
		WO	98/08871		KNUDSEN, et. al.	03-05-1998		
		WO	99/03861		NIELSEN et al	01-28-1999		

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Sheet

4

of

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Complete if Known

Application Number	10/813,954
Filing Date	03-31-2004
First Named Inventor	JAEHNE et al.
Group Art Unit	1614
Examiner Name	BERCH Mark L.

Attorney Docket Number DEAV2003/0028 - US - NP

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ASAKAWA A. et al., Cocaine-Amphetamine-Regulated Transcript Influences Energy Metabolism, Anxiety and Gastic Emptying in Mice, Hormone and Metabolic Research, (2001) Vol. 33, No. 9, pp. 554 - 558	
		BARF Tjeerd et al., Arylsulfonamidothiazoles as a New Class of Potential Antidiabetic Drugs. Discovery of Potent and Selective Inhibitors of the 11 Beta-Hydroxysteroid Dehydrogenase Type 1, American Chemical Society, (2002), Vol. 45, No. 18, pp. 3813 - 3815	
		ISHIHARA Kazuaki et al., 3,4,5-Trifluorobenzeneboronic Acid as an Extremely Active Amidation Catalyst, J. Org. Chem., (1996), Vol. 61, pp. 4196 - 4197	
		KLAUSNER Yakir S. et al., Coupling Reagents in Peptide Synthesis	
		KUNISHIMA Munetaka et al., 4-(4,6-Dimethoxy-1,3,5-triazin-2-yl)-4-methyl-morpholinium Chloride: An Efficient Condensing Agent Leading to the Formation of Amides and Esters, Tetrahedron, (1999), Vol. 55, pp. 13159 - 13170	
		LAROCK, R.C., Interconversion of Nitriles, Carboxylic Acids and Derivatives, Comprehensive Organic Transformations: A Guide to Functional Group Preparations, VCH Publishers, New York, Weinheim; 1999; pp.1929-1930.	
		LEE Daniel W. et al., Leptin Agonists as a Potential Approach to the Treatment of Obesity, Drugs of the Future, (2001), Vol. 26, No. 9, pp. 873 - 881	
		OKADA H. et al., Synthesis and Antitumor Activities of Prodrugs of Benzoylphenylureas, Chem. Pharm. Bull., (1994), Vol. 42, No. 1, pp. 57 - 61	
		SALVADOR Javier et al., Perspectives In The Therapeutic Use Of Leptin, Expert Opinion Pharmacotherapy, (2001), Vol. 2, No. 10, pp. 1615 - 1622	
		SPEICHER A. et al., O-(1-Benzotriazolyl)-N,N,N,N,-tetramethyluroniumhexafluorophosphat (HBTU) und O-(7-Aza-1-benzotriazolyl)-N,N,N,N -tetramethyluroniumhexafluorophosphat (HATU) -zwei moderne Kupplungsreagenzien zur Peptidsynthese, J. prakt. Chem., (1998), Vol. 340, pp. 581 - 583	

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